



Company Directors Disqualification Act 1986

1986 CHAPTER 46

Disqualification for general misconduct in connection with companies

4 Disqualification for fraud, etc., in winding up.

- (1) The court may make a disqualification order against a person if, in the course of the winding up of a company, it appears that he—
 - (a) has been guilty of an offence for which he is liable (whether he has been convicted or not) under [^{F1}section 993 of the Companies Act 2006] (fraudulent trading), or
 - (b) has otherwise been guilty, while an officer or liquidator of the company [^{F2}receiver of the company's property or administrative receiver of the company], of any fraud in relation to the company or of any breach of his duty as such officer, liquidator, [^{F2}receiver or administrative receiver].
- (2) In this section “the court” means any court having jurisdiction to wind up any of the companies in relation to which the offence or other default has been or is alleged to have been committed; and “officer” includes a shadow director.
- (3) The maximum period of disqualification under this section is 15 years.

Textual Amendments

- F1** Words in s. 4(1)(a) substituted (1.10.2007) by [The Companies Act 2006 \(Commencement No. 3, Consequential Amendments, Transitional Provisions and Savings\) Order 2007 \(S.I. 2007/2194\)](#), art. 10(1), [Sch. 4 para. 46](#) (with art. 12)
- F2** Words in s. 4(1)(b) substituted (2.4.2001) by [2000 c. 39, s. 8, Sch. 4 Pt. I para. 4](#); S.I. 2001/766, [art. 2\(1\)\(a\)](#) (subject to transitional provisions in art. 3)

Modifications etc. (not altering text)

- C1** Ss. 4–6 extended (with modifications) (1.7.1989) by [S.I. 1989/638](#), [regs. 20, 21](#)

Changes to legislation:

There are currently no known outstanding effects for the Company Directors Disqualification Act 1986, Section 4.